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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,185	03/14/2001	Mitsuru Sawano	Q63490	2844

7590 12/24/2003
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
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Washington, DC 20037

EXAMINER

YAN, REN LUO

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,185

Applicant(s)

SAWANO, MITSURU

Examiner

Ren L Yan

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MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 8-11 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (Figs. 8-11) in view of DeCruz (6,422,139). Applicant's admitted prior art (Figs. 8-11) teaches the structure of an insertion platform 2 for superimposing an image receiving sheet R and a transfer sheet P as claimed except that the admitted prior art does not teach the use of a light transmission member with a light source and the use of alignment marks. DeCruz teaches in a screen printing machine the conventionality of using a light box for accurately registering positives with screens. The light box has a light transmission member 2L operable to allow transmission of light from a lower side, a light source of 4 fluorescent lamps 34L mounted to a rigid frame 12L located below the light transmission member 2L, and gridlines 13 serving as alignment marks with their respective reference numbers formed on the light transmission members 2L for aligning the positives. See Fig. 7A and column 10, line 49 through column 13, line 48 in DeCruz for example. In view of the teaching of DeCruz, it would have been obvious to one of ordinary skill in the art to provide the insertion platform of the admitted prior art with the light transmission member with a light source along with alignment marks appropriately disposed as taught by DeCruz in order to ensure and facilitate accurate registration of the superimposed sheets. With respect to claim 5, the recited external light lighting hole reads

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on the gridline holes 14 at the intersection of the gridlines 13 in DeCruz. Regarding claim 7, the recited heat roller pair are included in the prior art as shown in Figs. 8-11.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of DeCruz, and further in view of JP 11-106685. The applicant's admitted prior art, as modified by DeCruz, does not teach the use of a fluorescent substance coated on the light transmission member. JP 11-106685 teaches applying a luminous coating material containing a fluorescent substance on a display so as to obtain the display having high afterglow luminance. It would have been obvious to those having ordinary skill in the art to provide the light transmission member of applicant's admitted prior art, as modified by DeCruz with a fluorescent substance coating in order to achieve a high afterglow luminance of the light transmission member to further facilitate the registration process.

Claims 6 and 8-11 are allowed.

Applicant's arguments filed 10-15-2003 have been fully considered but they are not persuasive. Applicant's argued that the Admitted Prior Art is concerned with downsizing the overall apparatus while the DeCruz device includes a complex arrangement of multiple components that would teach away from "downsizing" the apparatus. Therefore, it would not have been obvious to modify the APA based on the DeCruz device. This argument is not persuasive. As a matter of fact, this is not the issue on hand in this application. In this case, the particular problem with which the applicant was concerned was to find a way to easily and accurately register the superimposed sheets on the insertion platform. DeCruz was not relied upon for the teaching of setting up a separate preregistration unit for pre-registering the sheets. DeCruz was relied upon for the teaching of using a light box having a light transmission member

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operable to allow transmission of light from a lower side, and the teaching of using alignment marks(gridlines 13) with their respective reference numbers formed on the light transmission member in order to facilitate the alignment of positives with screens. In this regard, the teaching of DeCruz using a light transmission member coupled with alignment marks for the ease and accuracy of aligning the positives with screens is certainly considered pertinent to the problem with which the applicant was concerned and provides ample motivation to one having ordinary skill in the art to apply the teaching of DeCruz to the insertion platform in the admitted prior art when he desires to improve the registration process of the insertion platform. Therefore, the teaching of DeCruz is pertinent to the problem with which the applicant was concerned since it teaches a registration process that can be used to improve the registration performance of the insertion platform in the admitted prior art.

Applicant's argument regarding claim 4 that the examiner has not provided a reasonable motivation or suggestion to combine the applied references to arrive at the claimed invention is not agreed to by the examiner. JP 11-106685 clearly teaches to apply a luminous coating material containing a fluorescent substance on a display to improve its brightness. The application of such a luminous coating material to the light transmission member of the insertion platform of the applied prior art would improve its brightness so as to further facilitate the registration process because it would provide better visual effect to the operator. Therefore, the teaching of JP 11-106685 does provide proper motivation to those having ordinary skill in the art to apply this teaching to the insertion platform of the applied prior art to further improve the registration process of the insertion platform.

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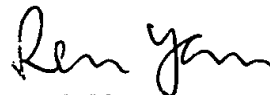
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 703-308-0978. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 703-305-6619. The fax phone number for the organization where this application or proceeding is assigned is 703-308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Ren L Yan
Primary Examiner
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Ren Yan
Dec. 22, 2003